

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David Michael Mondor,

Case No. 22-cv-1002 (PJS/DTS)

Plaintiff,

v.

ORDER

MCF-Rush City Nursing Staff, *et al.*,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge David T. Schultz dated August 22, 2022. No objections have been filed to that Report and Recommendation in the time period permitted.

The Court, being duly advised in the premises, upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED:

1. Plaintiff's Complaint [Dkt. No. 1] is **DISMISSED** without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915A(b).
2. Plaintiff's IFP Application [Dkt. No. 2] is **DENIED** as MOOT.
3. Plaintiff is required to pay the unpaid balance of the statutory filing fee (\$350.00) for this action in the manner prescribed by 28 U.S.C. § 1915(b)(2), and the Clerk of Court is directed to provide notice of this requirement to the authorities at the institution where Plaintiff is confined.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 20, 2022

s/Patrick J. Schiltz

Patrick J. Schiltz

Chief Judge, United States District Court